

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2031 OF 2021

Arjun Ramhari Waghmode & Ors. ..Applicants

v/s.

The State of Maharashtra . ..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2169 OF 2021**

Padmini Rajaram Waghmode & Ors. ..Applicants

v/s.

The State of Maharashtra . ..Respondents

Mr. Sachin Deokar for the Applicant in ABA/2031/2021.

Mr. Sachin Deokar i/b. Ritesh Thobhade for the Applicant in ABA/
2169/2021.

Mr. Y.Y.Dabke, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : 26th AUGUST, 2022.**

P.C.

1. By these applications, the Applicants have sought pre-arrest bail in Crime No.483 of 2021 and 484 of 2021 registered with Karmala Police Station, Solapur for the offences under Section 143, 147, 148, 307, 323, 324, 326, 504, 506 r/w. 149 of IPC.

2. The Applicants in both these applications are related to each

other. It is stated that there is boundary dispute between them. The records prima facie reveal that on 12.05.2021 there was a free fight between both these groups and members of both the families have sustained grievous injuries, resulting in filing of complaint and counter complaint. It is stated that both the parties have settled the dispute amicably and quashing proceeding being Criminal Writ Petition No.10794 of 2021 and Writ Petition No. 10795 of 2021 have been filed, and the same are pending hearing.

3. The material on record indicates that the altercation over boundary dispute between the parties had resulted in a fight. The incident was not premeditated but had occurred on a spur of moment, prima facie without an intention of causing the death. Considering the said aspect, and also considering the fact that the parties are related to each other and are trying to settle the matter amicably, in my considered view, the Applicants are entitled for pre-arrest bail on the following terms and conditions:-

(i) In the event of arrest of the Applicants in Crime No. 483 of 2021 and 484 of 2021 of Karmala Police Station, Solapur, the Applicants be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) each with one or

two sureties in the like amount;

- (ii) The Applicants shall not interfere with each other.
- (iii) The Applicants shall report to the Investigating Officer , if required, for the purpose of investigation and interrogation.
- (iv) The Applicants shall provide their permanent as well as temporary address, if any, and theirs contact details to the Investigating Officer.
- (v) The Applicants shall not change their residential address without prior intimation to the Investigation Officer.

(ANUJA PRABHUDESSAI, J.)